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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
EASTERN DIVISION

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U.S. DISTRICT COURT
N.D. OF ALABAMA

Lisa WEATHERS)

Plaintiff,)

v.)

Civil Action No.: CV-03-PT-3255-E

CITY OF OXFORD, Alabama)

Stanley MERRILL)

Defendants.)

ENTERED
VJP OCT - 7 2004

MEMORANDUM OPINION

This cause comes on to be heard upon defendants City of Oxford's and Stanley Merrill's motion for summary judgment, filed on July 22, 2004.

FACTS¹ AND PROCEDURAL HISTORY

I. Introduction.

Plaintiff Lisa Weathers is a police sergeant with the City of Oxford Police Department. Weathers is suing the City of Oxford, Alabama, a municipal corporation existing under the constitution and laws of Alabama, and Stanley Merrill, the Chief of Police for the City of Oxford. Weathers has been employed as a police officer by Oxford since March 1986.²

¹ The court notes where "facts" appear disputed.

² According to plaintiff's Complaint, in December 1990, she filed a previous action in this court (Civil Action No. CV90-B-2781-S) against the City, Merrill, and two other male supervisors. (Cmpt ¶ 7). In that suit plaintiff alleged that the defendants had subjected her to discriminatory treatment on the basis of sex or gender, including discipline and denial of promotions. (*Id.*) Plaintiff also claimed male officers (including her supervisors) regularly made, and the City and Merrill condoned, sexually explicit jokes and statements about and towards her. (*Id.*) Additionally plaintiff claimed that she was subjected to terms and conditions